

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:21-cv-47-M

JOSEPH McALEAR, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

nCINO, INC. and LIVE OAK BANCSHARES,
INC.,

Defendants.

**PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF SETTLEMENTS**

Fed. R. Civ. P. 23(e)

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiff Joseph McAlear hereby moves the Court, pursuant to Federal Rule of Civil Procedure 23, for an order as follows:

1. Granting final approval to Plaintiff's proposed settlements with Defendant Live Oak Bancshares, Inc. and Defendant-Intervenor Apiture, Inc.;
2. Certifying the proposed Settlement Class under Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure;
3. Approving the proposed Plan of Allocation; and
4. Entering a Final Approval Order and Judgment.

This motion is based on the accompanying memorandum of points and authorities; the Supplemental Declaration of Aisha Lange; the pleadings and other documents on file in this case; and any argument that may be presented to the Court. Defendant Live Oak Bancshares, Inc. and Defendant-Intervenor Apiture, Inc. do not oppose this motion.

Dated: March 28, 2022

Respectfully submitted,

/s/Anne B. Shaver

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